

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CHRISTOPHER L. CASH,)	
)	
Petitioner,)	Civil Action No. 20-cv-1304
)	
v.)	District Judge Arthur J. Schwab
)	Magistrate Judge Maureen P. Kelly
ERIC TICE; <i>and</i> THE PENNSYLVANIA)	
BOARD OF PROBATION AND PAROLE,)	Re: ECF Nos. 3 and 16
)	
Respondents.)	

MEMORANDUM ORDER

Christopher Cash (“Petitioner”) was, at the time of filing, a state prisoner held at the State Correctional Institution at Somerset (“SCI-Somerset”) in Somerset, Pennsylvania.¹ ECF No. 3-2 at 1. In the currently-pending Petition under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody (the “Petition”), he challenges the decision of Respondent The Pennsylvania Board of Probation and Parole (the “Board”) to recommit him as a convicted parole violator and recalculate his maximum sentence date. ECF No. 3 at 5.

On September 18, 2023, United States Magistrate Judge Maureen Kelly issued a Report and Recommendation recommending that the Petition be denied, and that a certificate of appealability be denied. ECF No. 16 at 1. Petitioner responded with Objections on October 13, 2023. ECF No. 18.

After *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, ECF No. 16, and Petitioner’s Objections thereto, ECF No. 18, the following Order is entered:

¹A review of the Pennsylvania Department of Corrections inmate locator website indicates that Petitioner currently is held at SCI-Houtzdale. See <https://inmatelocator.cor.pa.gov/#/> (last visited Nov. 6, 2023). Accordingly, this Memorandum Order will be mailed to Petitioner at SCI-Houtzdale.

AND NOW, this 6th day of November, 2023,

IT IS HEREBY ORDERED that the Petition, ECF No. 3, is DENIED. A certificate of appealability likewise is DENIED.

IT IS FURTHER ORDERED that Plaintiff's Objections, ECF No. 18, are OVERRULED and DISMISSED.

IT IS FURTHER ORDERED that the Magistrate Judge's Report and Recommendation, ECF No. 16, as it is supplemented by this Order, is adopted as the opinion of this Court.

BY THE COURT:

s/Arthur J. Schwab

ARTHUR J. SCHWAB

UNITED STATES DISTRICT JUDGE

cc: The Honorable Maureen P. Kelly
United States Magistrate Judge

Christopher L. Cash
QN6665
SCI Houtzdale
P.O. Box 1000
209 Institution Drive
Houtzdale, PA 16698-1000

All counsel of record (*via* CM/ECF)